

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

New England Power Company and Massachusetts Electric
Company Petition for Zoning Exemption

D.T.E. 04-66/D.T.E
04-81

**PETITION OF ISO NEW ENGLAND, INC.
TO PARTICIPATE AS A LIMITED PARTICIPANT**

Pursuant to 220 C.M.R. 1.03, ISO New England, Inc. (“ISO”) hereby petitions the Department of Telecommunications and Energy (“DTE” or “Department”) for leave to participate as a Limited Participant in the proceedings noted above, stating in support thereof the following:

1. The ISO is the private, non-profit Independent System Operator for New England. Pursuant to the agreements and tariffs on file with the Federal Energy Regulatory Commission, the ISO administers the New England product markets, and operates the New England bulk power system. The ISO has the responsibility to protect the short-term reliability of the control area, to administer competitive and efficient wholesale markets and to administer the regional open access transmission tariff.

2. The DTE opened these combined dockets to, among other things, review the requests of each of New England Power Company (“NEP” or the “Company”) and Massachusetts Electric Company for exemption from the zoning ordinances of the City of Haverhill to construct their separate electric substation facilities at Ward Hill (the “Project”).¹ In

¹ Where the NEP facilities are in the regional transmission system plan and the Massachusetts Electric Company facilities are at the distribution level, ISO’s interest is restricted to the NEP facilities.

these dockets the DTE will determine whether zoning exemptions are required and whether the present or proposed use of the land or structure is reasonably necessary for the convenience of welfare of the public under G.L.c. 40A, section 3, which determination involves consideration of the need for the facility in terms of provision of reliable electric service.

3. Consistent with the Department's Notice of Filing and Public Hearing dated September 17, 2004, ISO requests that it be permitted to participate as a Limited Participant at this time in order to adequately represent and protect its interests in this proceeding. In connection with its responsibilities as outlined in paragraph one above, ISO has an interest that would be affected by the outcome of this proceeding because it is responsible for the reliability of electric supply and transmission in its control area, which includes the North Shore of Boston area and it is responsible for administration of competitive and efficient wholesale markets. Timely completion of the Project is important to ISO's responsibilities as noted above. Further, ISO has made extensive studies which, among other things, concern the need for the Project.

5. ISO's interest in this matter cannot be adequately addressed or represented by any other party. Consequently, ISO's participation in this proceeding will help the Department determine the need for the proposed facilities, while affording ISO the opportunity to maximize its ability to fulfill its obligations as noted above.

6. If granted leave to participate as a Limited Participant, ISO intends to fully participate in this proceeding by means of filing of briefs and comments.²

² ISO does note that in certain cases a transmission company's proposed facilities have been opposed formally and such opponents have provided record evidence regarding need for the proposed facilities. *See e.g., New England Power Company*, D.T.E. 03-128. Should a third party seek to intervene to oppose the facilities, ISO may wish to seek to convert its status (if this Petition is granted) from Limited Participant status to full Intervenor status.

7. ISO has been in communication for counsel with NEP and is authorized to represent that ISO participation in this proceeding as a Limited Participant is supported by NEP.

8. All communications and correspondence for this proceeding should be directed to the undersigned and to:

Eric Krathwohl, Esq.,
Rich, May Bilodeau & Flaherty, PC
176 Federal Street, 6th Floor
Boston, MA 02110-2223
(617) 556-3848 (Telephone)
(617) 556-3890 (Fax)
e-mail: ekrathwohl@richmaylaw.com

and

Matthew F. Goldberg, Esq.,
Sr. Regulatory Counsel
ISO-New England
1 Sullivan Road
Holyoke, MA 01040
Email: mgoldberg@iso-ne.com

WHEREFORE, ISO New England, Inc. requests that the Department of Telecommunications and Energy permit it to participate as a Limited Participant in these proceedings.

Respectfully submitted,
ISO New England, Inc.

By: _____

Matthew F. Goldberg, Esq.,
Sr. Regulatory Counsel
ISO-New England
1 Sullivan Road
Holyoke, MA 01040
Email: mgoldberg@iso-ne.com

Eric Krathwohl, Esq.,
Rich, May Bilodeau & Flaherty, PC
176 Federal Street, 6th Floor
Boston, MA 02110-2223
(617) 556-3848 (Telephone)
(617) 556-3890 (Fax)
e-mail: ekrathwohl@richmaylaw.com

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